

CITY OF BOSTON



RENTAL HOUSING RESOURCE CENTER/RENT EQUITY BOARD
THOMAS M. MENINO
MAYOR

What Tenants In Foreclosed Buildings Should Know

- It can be scary when your landlord loses his or her building to foreclosure, but don't panic. This does not mean that you have to start packing up your belongings and getting ready to move.
- Only a judge can evict you. You have the right to stay in your apartment until that happens and to raise defenses and claims in court against the new owner. If you lose the eviction case, you can also request up to six months (or up to 12 months if some one in your household is 60 years of age or older or has a disability) from a judge before you have to move.
- Someone may offer you "cash for keys"; asking you to move out very quickly in exchange for money. That person may try to convince you that you have no choice, but that isn't true. You don't have to take the deal. If you do, you may be giving up your legal rights and moving much sooner than necessary.
- Even if the bank sells the building with the provision that it be delivered free of tenants, that is not your problem, and does not affect your right to stay in your home and defend against eviction until a judge tells you that you must leave.
- Being in a foreclosed building does not, by itself, entitle you to withhold rent. If a bank takes over and doesn't want to accept your rent, keep a record of your offer to pay.
- Even if a bank takes over the building, they are still legally responsible for maintaining it. If you're having problems with repairs or services that the owner is supposed to provide (like utilities), you should contact the bank or its broker or attorney, preferably in writing, and let them know what is needed. You can call the Inspectional Services Department of the City of Boston at 617.635.5322 if you don't get a response.
- The new owners of the building are legally required to post their names and addresses in the building. You can also find the owner through a "Property Search " at the Registry of Deeds or at www.suffolkdeeds.com.
- If you are being evicted in court, it is a good idea to seek legal assistance as soon as possible. For those who are low-income and eligible for free legal services, there are agencies that may be able to help.
- If utilities that the owner was supposed to provide (like water, or common area lights, or heat or hot water) have been shut off or are threatened with shut off, let the bank or the broker know, and also call the Inspectional Services Department. You may be able to keep service on by paying a projected bill, and can deduct these payments from any rent due. You may also be able to get an order from the Boston Housing Court ordering the bank to pay the utilities.
- If you have a rental subsidy, let the subsidy agency know about the change in ownership, so that they stop paying the old owner. You should have additional eviction rights because of your subsidy.
- In the event that you have to move out, the Rental Housing Resource Center can refer you to an affiliated agency that can offer you housing counseling.
- For general advice about your rights and for assistance, you can call the City of Boston's Rental Housing Resource Center at 617.635.RENT (7368).

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